

Planning Committee

1 June 2016



Application No.	16/00179/RMA		
Site Address	Charter Square (formerly known as Majestic House), High Street, Staines, TW18 4AH		
Proposal	Reserved Matters application (in respect of appearance, landscaping, layout and scale) pursuant to outline planning permission granted under 09/00566/OUT and as amended under 15/00738/RVC, 15/00739/RVC, 15/00753/RVC, 15/00754/RVC, 15/00755/RVC and 15/00756/RVC for the development of the site to provide up to 39,750sqm of floor space to comprise residential (Class C3), office (Class B1a), Class C1, Class D2, Class A1, Class A2, Class A3, Class A4 and Class A5 as well as the provision of a new link road and pedestrian routes, car and cycle parking, highways and transport facilities, public open space, landscaping and other associated works. Discharge of condition no. 12 on Archaeology pursuant to outline planning permission 09/00566/OUT.		
Applicant	London Square (Staines) Limited		
Ward	Staines		
Call in details	None		
Case Officer	Janet Ferguson		
Application Dates	Valid: 09.02.16	Expiry: 5.04.2016	Target: Over 8 weeks
Executive Summary	The principle of development on this site has already been agreed through the 2011 appeal decision and 6 subsequent amendments in July 2015. This application is for what are called 'Reserved Matters' and is to approve the design detail, specifically Appearance, Landscaping, Layout and Scale. This 'Reserved Matters' application has been submitted pursuant to the details of the outline planning permission that was allowed on appeal in 2011 under reference number 09/00566/OUT. This outline approval has since been amended under 6 applications approved by the Council in July 2015, where several planning conditions imposed on the outline consent were varied. The main revisions agreed in 2015 principally secured a change to the vehicular access arrangements for the site and		

enabled a greater amount of residential floor space to be provided; rather than the earlier office-led scheme anticipated at the outline stage.

The outline consent relates to the re-development of the existing vacant site to provide up to a total of 39,750 square metres of mixed uses which included agreed parameters regarding the size, height, scale and floor space limitations for specific individual uses. The outline permission also made provision for the construction of a new link road together with pedestrian routes, car and cycle parking as well as the creation of public open space with associated landscaping. The outline permission was subject to a legal agreement to secure the complete provision of the link road prior to the commencement of any other work on the site.

Since the appeal was allowed in 2011, no other 'Reserved Matters' submission has been received on this site owing to the down-turn in the economy. It is understood that London Square acquired the site in the autumn of 2015, and it is their intention to commence work later this year subject to the agreement of planning conditions and further variations to the legal agreement.

'Access' is the only matter which was considered at the outline stage meaning that the 'Reserved Matters' for determination now are: 'Appearance, Landscaping, Layout, and Scale' required under conditions 1 and 2 of the 2011 consent. However, the outline submission included indicative drawings which showed that there was scope for the floor space to be provided in new buildings that could vary between 8 and 11 storeys. These indicative plans sought to demonstrate that the development is most likely to be in the form of one block fronting onto the High Street and for a second higher block to the rear of the site with the provision of a centralised public square and pedestrian route through to Mill Mead. This approach has been continued with this 'Reserved Matters' submission, albeit in a more detailed format and layout.

The current application follows the parameters set out by the outline permission (with a total floor space of 35,604 square metres compared with a maximum of 39,750 square metres approved under the outline) and simply provides the detailed form of the layout, external appearance, scale and landscaping. The site is located in the urban area within Staines town centre where a mixture of building types, heights and designs are evident. The detailed drawings reflect a consistency with the visual appearance of other mixed uses located in the surrounding area, off the High Street and in London Road. Viewed alongside the BT 'Tower' to the rear of the site, the new buildings would represent the highest development currently within this part of Staines. However, assessed alongside the outline consent and given the relationship between buildings and the distances involved, the visual impact of the scheme in townscape terms is considered acceptable.

As far as the detail is concerned, the submission includes a mixture of contemporary and traditional materials as well a palette of textures and warm colours. As a result of this, it is considered that a high quality

	redevelopment would be provided that would contribute to the visual appearance of this town centre location. In addition to this, improvements to the pedestrian permeability of the central public space has been provided to link with the commercial uses that are proposed at ground floor level facing into the public space and facilitates an active frontage being provided on the High Street frontage. The residential element would have access to a communal amenity space that is to be provided at 4th and 9th floor level in a raised position. The public areas would incorporate hard and soft landscaping features which is considered to be an appropriate treatment within this urban area. Other landscaped features have been specifically designed to camouflage the ventilation and flood void requirements for this site. In visual terms, the detailed treatment of the site would lead to an exciting contemporary development with articulation provided by the vertical emphasis of the groups of buildings, use of materials and different balcony designs. Transportation impact issues were dealt with at the 'outline' application stage and are acceptable. The principle and location of the access points has already been agreed at the outline stage and adequate levels of car and cycle parking has been provided for both the residential and commercial uses. The construction of a new link road to the north of the site, accessed from Fairfield Avenue, was specifically negotiated during the outline negotiations on the basis that the entire stretch of road would be provided first before the occupation of the development and constructed in one building operation. This would lead to substantial public benefits and most notably enable the closure of the poor existing access that is currently available in Mill Mead.
Recommended Decision	Grant Conditional Permission and discharge condition 12 on Archaeology.

MAIN REPORT

1. DEVELOPMENT PLAN

1.1 The following policies in the Council's Core Strategy and Policies DPD 2009 are considered relevant to this proposal:

- SP1 (Location of Development)
- LO1 (Flooding)
- SP2 (Housing Provision)
- HO1 (Providing for New Housing Development)
- HO3 (Affordable Housing)
- HO4 (Housing Size and Type)
- HO5 (Housing Density)

- TC1 - Staines Town Centre.
- TC2 - Staines Town Centre Shopping Frontage.
- EM1 - Employment Development.
- CO2 (Provision of Infrastructure for New Development)
- CO3 (Provision of Open Space for New Development)
- SP6 (Maintaining and Improving the Environment)
- EN1 (Design of New Development)
- EN3 (Air Quality)
- EN4 (Provision of Open Space and Sport and Recreation Facilities)
- EN11 (Development and Noise)
- EN15 (Development on Land Affected by Contamination)
- CC1 (Renewable Energy, Energy Conservation and Sustainable Construction)
- CC2 (Sustainable Travel)
- CC3 (Parking Provision)

2. **RELEVANT RECENT PLANNING HISTORY**

- 2.1 The site has been the subject of numerous planning applications, but the most relevant applications in respect of the current submission are an outline permission which was allowed on appeal in 2011 and is detailed below. Additionally six Section 73 applications sought to vary conditions relating to the outline permission were approved in July 2015:

09/00566/OUT	Outline planning application with all matters reserved except for means of access to the development comprising, or to provide up to, 39,750 sq m gross external area of built floorspace (in total) for: Class B1(a); Class C1; Class C3; Class D2; Class A1, A2, A3, A4, A5. Such development to include: Highways and public transport facilities; Pedestrian, cyclist and vehicular ways; vehicle parking; laying out open space; landscaping; ground works; drainage works; provision and/or upgrade of services and related media and apparatus; miscellaneous ancillary and associated engineering and other operations.	Allowed February 2011
15/00738/RVC	Variation of condition 5 imposed on outline approval reference 09/00566/OUT	Grant Conditional

	allowed on appeal in 2011 for the re-development of the Majestic House site to alter the form and height of the approved building envelope (S73 Application).	13.07.2015
15/00739/RVC	Variation of condition 6 imposed on outline approval reference 09/00566/OUT allowed on appeal in 2011 for the re-development of the Majestic House site to provide a greater amount of residential floor space up to 24,000 square metres (S73 Application).	Grant Conditional 13.07.2015
15/00753/RVC	Variation of condition 14 imposed on outline approval reference 09/00566/OUT allowed on appeal in 2011 for the re-development of the Majestic House site to provide a new access from the link road for car parking rather than the approved access from Mill Mead. (S73 Application).	Grant Conditional 13.07.2015
15/00754/RVC	Variation of condition 25 imposed on outline approval reference 09/00566/OUT allowed on appeal in 2011 for the re-development of the Majestic House site to provide retail and restaurant uses on the High Street frontage (S73 Application).	Grant Conditional 13.07.2015
15/00755/RVC	Removal of condition 18 imposed on outline approval reference 09/00566/OUT allowed on appeal in 2011 for the re-development of the Majestic House site relating to visibility splays required in connection with the approved access from Mill Mead (S73 Application).	Grant Conditional 13.07.2015
15/00756/RVC	Removal of condition 24 imposed on outline approval reference 09/00566/OUT allowed on appeal in 2011 for the re-development of the Majestic House site concerned with providing Public Art. (S73 Application).	Grant Conditional 13.07.2015

3. EXPLANATION OF PROCEDURE

- 3.1 Reserved Matters are those aspects of a proposed development which an applicant does not necessarily submit at the time of an outline planning application. In essence they are details which have been 'reserved' for later determination). As far as the Charter Square site is concerned, the only matter of detail (other than the amount and type of floor space) considered at the

outline stage was 'Access'. This means that the matters which have been 'reserved' for later determination are:-

- 'Appearance' – which deals with the aspects of a building or place within the development which determine the visual appearance of the building or place makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture.
- 'Landscaping' – the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and includes: (a) screening by fences, walls or other means; (b) the planting of trees, hedges, shrubs or grass; (c) the formation of banks, terraces or other earthworks; (d) the laying out or provision of gardens, courts, squares, water features, sculpture or public art; and (e) the provision of other amenity features;
- 'Layout' – the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development.
- 'Scale' – the height, width and length of each building proposed within the development in relation to its surroundings.

4. BACKGROUND & DESCRIPTION OF ORIGINAL APPLICATION

- 4.1 The application site is an enclosed and cleared area of land which is located on the northern side of Staines High Street and to the immediate east of the railway line. The site lies within the built up area of Staines, which is predominantly commercial in character with direct connection to the retail centre of Staines and with a pedestrian route to Staines Train station. The site is located adjacent to the Renshaw Industrial Estate and the Moormede residential development to the north. The site occupies a prominent position in the town centre, with views eastwards to the pedestrianised centre of Staines and views westwards to Crooked Billet roundabout.
- 4.2 The site previously contained a building known as Majestic House which was a 5 storey office building and a number of commercial units at nos. 122-140 High Street. The site also encompasses nos. 1,4,6 and 8 Mill Mead which were in office use, an undeveloped area of adjacent grass, a parking area, the former postal sorting office, some office accommodation, a careers office and a pair of semi-detached properties (nos. 10 and 12) which formerly fronted onto Fairfield Avenue. All of these properties were demolished some time ago and the site is cleared, level and vacant and is currently surrounded by hoardings.
- 4.3 The site is located within an employment area and as a secondary shopping area under policies EM1 and TC2 as contained in the CS & P DPD. At the time of the outline application, 2008 Flood Risk Assessment (FRA) identified that an area to the west of the site was partially located in Flood Zone 3. However, since then, the Environment Agency's current Flood Map indicates that the site is now completely located in Flood Zone 2 which has a medium probability of

flooding. In addition, part of the site is recorded as having archaeological potential.

- 4.4 Outline permission which was allowed on appeal in 2011 permitted the mixed use re-development of the site. For information purposes, the following table details the original floor space of buildings on the site; compared with the floor space permitted by the outline consent, plus the floor space agreed under the with the variation of condition 6 (application number 15/00739/RVC) approved in 2015 and the floor space proposed in the current application.
- 4.5 It should be noted that the floor space identified in the columns for the 2009 and 2015 application contained in the table below represents the maximum that could be built within each use, but in both cases the total floor space on the site will not exceed 39,750 square metres.

Dimensions sq.m.	Original Floor Space prior to demolition	09/00566/OUT Outline Planning Permission Approved Floor Space	15/00739/RVC Approved Floor Space (2015)	16/00179/RMA Current Application
Uses				
B1 Office Use	4,185	29,604	29,604	9,187
A1Use	1,356	2,750	2,750	
A2/A3/A4/A5 Uses		2,750	2,750	2,165
Leisure (D2) Use		2,000	2,000	
Residential	200	14,000	24,000	23,992 260 Units
C1 Hotel Use		10,000	10,000	
Industrial warehousing	1,034			
Total	6,775	39,750	39,750	35,604

- 4.6 The outline consent accepted the mixed use of the site to include office, residential and leisure uses as well a combination of A1, A2, A3, A4 and A5 uses within the site. At the outline stage, the applicants included several 'parameter' plans which provided an indicative idea of the form that the redevelopment of the site could follow. These parameter plans showed:
- Maximum heights, setback and footprint at ground level;
 - Maximum extent of the basement, below finished ground floor level;
 - An Axonometric Plan; and
 - A ground floor Master Plan.

- 4.7 In allowing the appeal, the Inspector required under condition 5 for the redevelopment to be carried out in accordance with the submitted parameters plans. In addition, the Inspector in condition 6 of the decision letter accepted that a total quantum of gross floor space up to 39,750 square metres could be permitted on the site. Condition 6 also stipulated certain limits for the individual uses that could not be exceeded in the overall completed scheme. These are as follows:-
- a) **29,604 sqm** Class B1 (a) (Office Use)
 - b) **2,750 sqm** Class A1 (Retail Use)
 - c) **2,750 sqm** Classes A2, A3, A4, A5 (Financial & Professional Services, Restaurant, Public Houses and Takeaway Uses);
 - d) **2,000 sqm** Class D2 (Leisure and Assembly Use);
 - e) **14,000 sqm** Class C3 (Residential Use); and
 - f) **10,000 sqm** Class C1 (Hotel Use).
- 4.8 Copies of the outline parameters plans and the appeal decision are attached as an Appendix.

5. DESCRIPTION OF CURRENT PROPOSAL

- 5.1 This planning application seeks permission for the details of the 'Reserved Matters' which would enable the redevelopment of the site to provide 35,604 square metres of floor space, comprising 260 residential units (Class C3), 9,187 square metres of commercial floor space (Class B1a) and 2,165 square metres of mixed use retail uses ranging between Classes A1 and A5. The proposed development would secure the provision of a new link road, pedestrian routes, car and cycle parking, and the creation of a centralised area of public open space with associated landscaping.
- 5.2 The redevelopment would essentially provide two main blocks of construction. The main High Street building (Block A) is part 9 and 10 storeys high on the frontage which extends up to 12 storeys to the rear of the site and adjacent to Fairfield Avenue. This element would primarily be in residential use with retail uses provided at ground floor level. A smaller block of construction is to be located adjacent to the railway line and south of the Renshaw Industrial Estate (Block B). This is 9 storeys high, but accommodates office use on the upper floors which has a higher floor to ceiling height than residential and retail uses at ground floor level. A smaller two storey freestanding building (Block C) is to be located facing onto the High Street which is to be used for commercial purposes.

Block A

- 5.3 This building is of rectangular shape, but has an angled foot-print set back from the pavement facing onto the High Street. The building would measure between 52 and 57 metres in width, 70 metres in depth and would have a

maximum height of 38.8 metres at the rear of the site compared with 28.8 metres high (including the set back roof storey) on the High Street frontage. Whilst the main use of the building is for residential purposes, the ground floor space would provide 3 elements of retail use which face; onto the High Street, the pedestrianised courtyard space and Fairfield Avenue. Other ancillary uses including entrances / reception areas that provide access to the upper floor residential flats, cycle and refuse storage and car parking would be provided at ground floor level. The front and rear parts of the block would be linked by a 5 storey central element with one storey provided in a basement level that would provide 217 car parking spaces for the residential occupiers. The roof of this core structure would provide a roof garden for access and use by the residential occupiers.

- 5.4 This frontage building will be constructed in a mixture of contemporary and traditional materials that would include a range of brick and stone finishes, with bronze effect metal cladding and balcony features, frameless glazing units and modern metal balustrading for both the projecting and recessed balconies serving the residential units. A range of textures is proposed, but a consistent approach would incorporate the use of warm rich colours of cream and light brown stone. This mixture of material type, colour and texture together with the varying design details and articulation within the elevations would break up the mass of the building and enable the visual separation of the vertical elements of this building.

Block B

- 5.5 Block B measures 37 metres in width and 30 metres deep with a curved corner design linking the link road elevation with the Mill Mead elevation. The maximum height of the building would be 37.2 metres and the top 3 storeys would incorporate a graduated stepped roof form. The building is to be used for office purposes, although a ground floor element facing into the pedestrianised walkway linking the public open space to Mill Mead would have a stretch of retail uses that also returns onto the Mill Mead frontage. Access to the basement car parking is provided at ground floor level (from the new link road) which extends down to 4 basement floors of car parking that would provide a total of 155 car parking spaces.
- 5.6 At ground floor level, this building would be constructed in buff brick with metal window frames and shop fronts which would allow adequate space for fascia boarding and subsequent signage to be introduced into this elevation. On the upper levels, columns of window openings are grouped together to mirror the graduated roof form. This building would be constructed in reconstituted stone cladding and would feature angled and recessed window designs.

Block C

- 5.7 Block C is a relatively modest structure that has a stepped frontage facing the High Street and a curved side elevation that extends alongside the boundary with the adjacent building at no. 120 High Street. This building measures approximately 18 metres wide by 15 metres deep and would be 8.5 metres high. Block C would be used for retail purposes at both ground and first floor

level and would be constructed in the similar arrangement and materials as the other retail areas.

Uses

Residential

- 5.8 A total of 260 flats are to be provided that would be located on the upper floors of Block A. The mix of the proposed units are outlined in the table below:-

	PRIVATE	AFFORDABLE		TOTAL
		Rented	Shared	
Studio unit	1	0	0	2
One bed	96	0	0	95
Two bed	157	0	0	157
Three bed	3	0	0	6
				260

- 5.9 This 'Reserved Matters' submission does not currently include the provision of any affordable housing as set out in the outline permission and the associated legal agreement. It is clear that the legal agreement includes a mechanism for determining the final level of affordable housing that can be achieved on the site and the current submission has been supported with a detailed Viability Assessment to justify the argument put forward by the applicant.
- 5.10 In terms of wheelchair adaptable units, the redevelopment scheme would be providing 26 adaptable units (for which there are 26 accessible car parking spaces) which would represent 10% of the total units provided on the site.

Public and Private Amenity Space

- 5.11 A large public courtyard area amounting to 1,128 square metres will be provided in the centre of the site and would link the space between buildings to the High Street, Fairfield Avenue to the north and Mill Mead to west. This public space will comprise a series of hard and soft landscaped features which would allow for permeability and are designed to be visually pleasing. The public space would contain a mixture of landscaping and tree planting that would be consistent with the whole development. Street furniture would be in a variety of materials and would include provision for a range of planters, including for use as seating and at different levels to enable a small lawn / informal play area element to be created. The landscaping scheme has been specifically designed to include raised planters with void areas within them to provide water storage in the event of a flood. Similarly, water tolerant species have been proposed in the landscaping scheme to bring both seasonal interest and structure to the public square.
- 5.12 Private amenity space to serve the occupiers of the residential development would be provided 4 levels above ground floor on the roof between the front and rear residential buildings. This raised area would measure 525 square metres and is to contain communal garden and terrace as well as private individual terraces. A variety of planting and materials are proposed to provide a range of formal and informal spaces including provision of seating and

playable timber elements and stepping stones. In addition to this, residential units on the ninth floor have access to 2 further separate spaces totalling 625 square metres of communal garden and private terraces. The residential units facing out onto the High Street, Fairfield Avenue and onto the public and private amenity spaces would each have access to enclosed private balconies, totalling 156 in number.

5.13 The current site is cleared and does not contain any existing trees or planting. The 'Reserved Matters' submission has provided a very detailed landscaped master plan for the site which incorporates street trees on the edge of the site, within the public and private amenity spaces and lower level shrub planting. The plans also make provision for both intensive and extensive living roofs to be provided which are designed to increase the potential for encouraging wildlife habitats, reduce storm water run-off and reduce energy costs.

5.14 A total of 217 car parking spaces will be provided for the occupiers of the residential accommodation in car park that is to be provided over 5 levels (one at basement level). The access to this car parking would be off the new link road which is to be constructed in respect of this site and would also provide access to a total of 276 secure bicycle spaces in the basement car park.

Commercial

5.15 In addition to the provision of the residential units as outlined above, the application would also provide 9,187 square metres of office floor space in the building which faces onto the Renshaw Industrial Estate. The ground floor of buildings A and B of the buildings together with a free-standing 2 storey building (Block C) facing onto the High Street would contain a range of uses split between Use Classes A1 (retail), A2 (Financial and Professional Services), A3 (restaurants and cafes), A4 (Drinking Establishments), A5 (Hot Food Takeaways). The total amount of these A-Class uses would represent 2,165 square metres, and there is flexibility about how these uses are divided in the outline permission and S73 submissions made in 2015.

5.16 The office building would have car parking spaces provided in 4 levels of underground car parking that would be accessed from the new link road. A total of 155 car parking spaces and 72 cycle spaces would be provided for the office development and 40 short stay cycle spaces for visitors would be provided at street level.

5.17 Copies of the main floor plans and principle elevations are attached as an Appendix.

6. CONSULTATIONS

6.1 The following table shows those bodies consulted and their response.

Consultee	Comment
County Highway Authority	No objection, development must not overhang the carriageway, satisfied with parking provision for residential and office

Consultee	Comment
	uses and adequate on-street parking controls. Bicycle parking for office element is below standard and needs to be increased.
County Archaeologist	No objection, there is no requirement for any further work, the condition can now be fully discharged.
Environmental Health (Contaminated Land and Dust)	No objection, discharge of outline condition on contamination currently under consideration.
Environmental Health (Air Quality and Kitchen Extraction)	No objection, comment that car parking spaces to be fitted with fast / trickle charging points and ultra-low communal NOx boiler to be installed, required by new condition.
Environmental Health (Noise)	No objection, Environmental Health is satisfied that the noise and vibration requirements are covered by the outline planning consent.
Neighbourhood Services (Waste Collection)	No objection to principle of Waste Management Strategy and amount of storage provision for residential. Outstanding query on issue of manoeuvring storage containers on bin collection day.
Arboricultural Officer	No objection, subject to a condition requiring details of the location, species and size of planting to be agreed by the Council.
BAA	No objection, comments regarding planes / wind turbines to be attached in an informative.
Crime Prevention Officer	No objection, informative recommended requiring the development to achieve Secured by Design award.
Thames Water	No objection.
Network Rail	Observations about future maintenance, drainage, plant and materials, scaffolding, piling, fencing, lighting, noise and vibration, and vehicle incursion. These comments have been added onto the decision as an informative.

Consultee	Comment
SUDS (Surrey County Council)	No comments, the 'Reserved Matters' submission falls outside remit, would expect the Environment Agency to provide comments on flood risk from rivers, including compensatory storage.
Environment Agency	No objection on flood risk grounds, providing flood compensation details and additional 400m3 of floodplain storage are implemented in accordance with the FRA.
Natural England	No objection, not likely to have significant effect, damage or destroy interest features for which South West London Waterbodies SPA & RAMSAR and Staines Moor SSSI have been classified. Request provision of biodiversity and landscape enhancements.
Surrey Wildlife Trust	No objection, opportunities to restore / provide biodiversity and ecological enhancements such as green roofs, walls, bird / bat boxes and nesting provision of Peregrine Falcon on the tallest building.
Staines Town Society	Objection, excessive size and bulk too large for Staines High Street, office element should be located on frontage and flats protected from traffic fumes to rear of site. Mixture of building design and materials out of character, lack of affordable housing provision, poor layout and standard of residential accommodation and inadequate amenity space, require seating for amenity space. Insufficient public open space and lack of children's play area, unacceptable levels of car parking, two-tier cycle racks difficult to use, suggest Sheffield stands instead, Air Quality Assessment advises annual concentration of NO2 is above safety levels.

7. PUBLIC CONSULTATION

7.1 A total number of 154 properties were notified of the application, and at the time of writing a total of two letters of representation had been received objecting to the proposal on the following grounds:

- Overdevelopment of the site, too bulky and tall.
- Inadequate public and private green space, play area and planting.

- Air and noise Pollution
- Glass balconies will overlook a heavily used road.
- Commercial block should be more sensibly positioned along the high street frontage.
- Mixture of fenestration and balcony designs and colours
- Inadequate size of flats
- Insufficient car parking
- Staines Town Centre has been taken over by chain restaurants and charities, the proposed shop units may remain empty.
- Impact upon the flood risk, and the sewage system.
- Construction built to maximise profit.
- Objections to phasing of the link road, highly prejudicial to the future marketing of the Renshaw Industrial Estate, and wider aspirations of the Council to secure the closure of Mill Mead.
- Where will laundry be hung?

8. PLANNING ISSUES

- Principle of Development
- Housing Size / Type
- Affordable Housing
- Housing Density
- Appearance, Landscaping, Layout and Scale
- Residential Amenity
- Standard of Accommodation
- Amenity Space
- Transportation Issues and Parking Provision
- Flooding
- Renewable Energy
- Air Quality
- Ventilation / Kitchen Extraction Equipment
- Waste

9. PLANNING CONSIDERATIONS

Principle of Development

- 9.1 The principle of redeveloping this site has already been approved on appeal and via the 2015 consents, as has the quantum of residential, ground retail and offices.

Housing Size / Type

- 9.2 The 'Reserved Matters' submission proposes a mix of accommodation of studio, 1, 2, 3 bedroom units as set out below:

2 x studio,	(all private)
95 x one bedroom,	(all private)
157 x two bedroom	(all private)
6 x three bedroom dwellings	(all private)

- 9.3 Policy HO4 (a) of the CS & PDPD requires developments of 4 or more units to include at least 80% of their total as one or two bedroom units. This policy requirement is expanded in the SPD "housing size and type", 2012 and the SPD makes it clear that this applies to private housing only. This current application proposes 253 of the private units of which as one and two bedroom units, and represents some 97% of the total, which is in excess of the policy requirement, and is therefore acceptable.

Affordable Housing

- 9.4 Policy HO3 of the CS & P DPD requires up to 50% of housing to be affordable where the development comprises 15 or more dwellings. In order to accord with the requirements attached to the legal agreement signed at the outline stage. Staines Society has noted in their representations that the current scheme does not provide any affordable housing and does not include the Financial Assessment referred to in the legal agreement. However, agents acting for the applicant have provided a detailed Viability Assessment in respect of Affordable Housing which includes confidential financial information. This analysis concludes that it is not possible to provide any affordable housing and to achieve a financially viable scheme. Essentially, this is due to the costs of acquisition by the current owners and determined by the high alternative development value established by the 2011 appeal decision.
- 9.5 Discussions are ongoing with the planning agents with a view to considering the necessary changes to the legal agreement to retain the existing mechanism to carry out further assessments of financial costs and viability on the issue of affordable housing post the commencement of construction works.

Density

- 9.6 The density of the development has already been established by the 2011 appeal, albeit this detailed scheme has a slightly lesser floor space than could have been applied for.
- 9.7 Factually, the proposal involves the creation of 260 residential flats and the proposed housing density is 318 dwellings per hectare (dph). It is important to note that any mathematical density figure is in part a product of the mix of units proposed. In this case some 97% of the units are either studio, 1 bed or 2 bed and accordingly it is possible to accommodate many more small units within a given floor space and an acceptable numerical density can be much higher. The proposed density in any case is considered acceptable in this town centre location and given the existence of the outline consent and the acceptability of the scheme in design terms.

Appearance, Landscaping, Layout and Scale

- 9.8 Policy EN1 of the Core Strategy and Policies DPD (CS & P DPD) states that the Council will require a high standard in the design and layout of new development. Proposals for new development should demonstrate that they will create buildings and places that are attractive with their own distinct identity; they should respect and make a positive contribution to the street scene and the character of the area in which they are situated, paying due regard to the

scale, height, proportions, building lines, layout, materials and other characteristics of adjoining buildings and land. Whilst this is a mixed use development, the Council's SPD on the "Design of Residential Extensions and New Residential Development," April 2011 is relevant for the residential element and provides guidance on sunlight, daylight, privacy, minimum separation distances and guidance on minimum amenity space standards for flats.

- 9.9 This Reserved Matters application seeks the approval of the following details, namely; Appearance, Landscaping, Layout and Scale. As already indicated, this application has to be assessed alongside the outline consent issued in 2011 which included a parameter plan showing the maximum heights, setbacks, foot-print and floor space that could be achieved on this redevelopment site. Taking the above into account, the current scheme is principally concerned with considering the 'detailed' design elements of the proposed redevelopment.

Appearance

- 9.10 At the outline stage, it was recognised that a mixture of buildings exist in the area with regards to style, design and massing. In terms of 'appearance' the redevelopment scheme adopts a modern design approach that provides a series of vertical components that are individual and visually separated by adopting the use of different colours, textures and materials. Similarities within each section are repeated with the size and proportions of the window openings, surrounds and balconies as well as the use of detailing and cladding.
- 9.11 Objections have referred to the mixture of building design and materials used in the redevelopment scheme and that this would be out of character with the surroundings. However, it is considered that there is a consistent theme of vertical sections within the form of development and that articulation is provided due to the use of different detailed design elements and similar colours which blend in with the redevelopment scheme as a whole. For this reason, it is not considered that the objections raised on the design and appearance of the proposed development could be sustained in this instance.
- 9.12 The design for this site is of high quality and with the use of light and dark brown warm colours would enable the large scale buildings to fit in with its contemporary neighbours located to the east of the site such as Ash House, but also blend in with the brown brick residential properties to the north on the Moormede Estate. As a result of the above, it is considered that the proposed appearance for the redevelopment scheme is acceptable.

Landscaping and Ecology

- 9.13 Policy EN8 of the CS & P DPD states that the Council will seek to protect and improve the landscape and biodiversity of the Borough by ensuring that new development, wherever possible, contributes to an improvement in the landscape and biodiversity and also avoids harm to features of significance in the landscape or of nature conservation interest.

- 9.14 A detailed landscape master plan and planting scheme has been submitted with the application and includes some substantial tree planting within the site. The current site is cleared and does not contain any existing trees or planting. The Reserved Matters submission has provided a very detailed landscaped master plan for the site which incorporates street trees on the edge of the site, within the public and private amenity spaces and lower level shrub planting. The plans also make provision for both intensive and extensive living roofs (as well as a living wall facing Fairfield Avenue) to be provided which are designed to increase the potential for encouraging wildlife habitats, reduce storm water run-off and reduce energy costs.
- 9.15 The Council's Arboricultural Officer has considered the landscaping proposed for the public space and private amenity areas and has raised no objection to the principle of the planting works. However, this would be subject to an additional condition being imposed on this decision requiring details of the exact location, species and size of planting to be agreed by the Council.
- 9.16 Policy EN8 of the CS and P DPD states that the Council will seek to protect and improve the landscape and biodiversity of the Borough by ensuring that new development, wherever possible, contributes to an improvement in the landscape and biodiversity and also avoids harm to features of significance in the landscape or of nature conservation interest. It is also important to note the guidance regarding protected species in Circular 06/2005. This states that:
- "it is essential that the presence or otherwise of protected species and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision."*
- 9.17 The application site has been completely cleared of all buildings and structures some considerable time ago and has a levelled rubble surface of no ecological value. The Council is satisfied that there is no scope for protected species to inhabit or resort to this site.
- 9.18 The site is located some 620 metres from the Shortwood Common SSSI is situated to the east and Staines Moor is also located approximately 620 metres from the site. The Staines Reservoir is 525 metres away and together with the adjacent King George IV Reservoir SSSI forms part of the South-West London Waterbodies SPA.
- 9.19 Natural England has been consulted on the 'Reserved Matters' submission and state that the redevelopment is not likely to have a significant effect on, damage or destroy the interest features for which South West London Waterbodies SPA & RAMSAR has been classified. Natural England and Surrey Wildlife Trust (SWT) have both raised no objection on ecological grounds. But have provided detailed comments referring to the potential opportunities for securing biodiversity enhancements. These would include the installation of roosting opportunities for bats and the installation of bird nest boxes including nesting provision for a Peregrine Falcon on the tallest building.

- 9.20 In addition to the above, both Natural England and SWT have similarly commented about the need to provide other landscape enhancements such as the installation of green roofs, green walls as well as encouraging the use of native planting and conservation seed mix. However, the current scheme already incorporates green roofs and a green wall that faces onto Fairfield Avenue which would in principle accord with the comments raised by Natural England and SWT.
- 9.21 Therefore, it is recommended that a further condition be imposed on the decision which requires the above biodiversity and landscape features to be provided and for further details to be submitted to the Council for consideration and approval.
- 9.22 Prior to the submission of the outline application in 2009, the Council issued a Screening Opinion which confirmed that an Environmental Impact Assessment was not required for the redevelopment.

Layout

- 9.23 The layout for the redevelopment of the site has advanced on the basis of the foot-print that was established at the outline stage. However, a number of minor adjustments have been incorporated into this 'Reserved Matters' submission. The position of the angled frontage building has been revised to allow for more space to be provided at pavement level on the busy corner with Fairfield Avenue. The layout has also been amended to provide a direct pedestrianised link northwards to the proposed new link road that would be provided in a double height space that has been created as part of the building design on the northern boundary. This pedestrianised route replaces the eastern pedestrianised access that was originally planned to link up with Fairfield Avenue (as indicated on the illustrative master plan during the outline discussions). A pedestrianised link to Mill Mead and the shopping area of Staines is still included as part of the current proposals. The current application still includes the provision of a central public space that would be surrounded by retail uses that would be available at ground floor level, which is consistent with the outline approval.
- 9.24 The 'Reserved Matters' submission also includes the construction of a new link road to the north of the site which was negotiated as a much needed highway improvement and safer access route than the existing road available in Mill Mead. The provision of this link road has historically been a Council requirement as part of the comprehensive redevelopment of the site.
- 9.25 The submitted layout does not substantially depart from the layout that was indicated at the outline stage within the illustrative master plan that formed part of the outline submission. It is clear that the provision of the public square would provide a central meeting place and provide opportunities for pedestrian activity from residents and employees, to use the surrounding shop units and wider commercial premises in the High Street and the Two Rivers Shopping Centre. Representations which have been received have suggested that the office element be located on the High Street frontage and the residential flats be located to the rear of the site where the residential occupiers would be

protected from traffic fumes. However, the layout as submitted is satisfactory and a refusal on the location of the uses is not considered to be justifiable.

- 9.26 It is considered that the proposed layout would help regenerate this part of the town centre and would provide a vibrant and active space and would satisfy and comply with the outline consent.

Standard of Accommodation

- 9.27 A review of the submitted layouts has confirmed that all of the 260 residential units would accord with the minimum requirements as set out in Spelthorne's Design of Residential Extensions and New Residential Development SPD as well as the National Technical Housing Standards. It is relevant to point out that the minimum size for a 2 bedroom 3 person unit is 61 square metres, and the proposed 1 person studio unit is well above the minimum requirement of 39 square metres, with a gross internal area of 46 square metres. Objections have been received about the small size of the 1 and 2 bedroom units, but this is not considered sustainable given that the standard of accommodation complies with the Council and national housing standards.
- 9.28 It is noted that some of the proposed flats that face onto the communal courtyard garden are single aspect and northward facing. Whilst this is not ideal, given the high quality of the development and that these flats will face directly onto the private landscaped amenity space, it is not considered that an objection could be sustained in this regard. Representations query the appropriateness of the glass balconies overlooking the heavily used adjacent roads. However, it is not unusual for residential accommodation provided on the upper floors to overlook busy roads and this is not something that could justify the refusal of permission.

Scale

- 9.29 At the outline stage, it was acknowledged that the 'scale' of any redevelopment on the site was viewed to be a major issue requiring careful consideration. It is evident that (prior to its demolition), the former Majestic House development was 6 storeys in height, the Telephone Exchange building which is 7 storeys high, the original Centrica building (since demolished) was 12 storeys in height and the commercial development at 1 London Road was approved at 5 storeys with plant on the roof. The outline application allowed under the Parameters Plan the potential for a development to have a maximum height of 8 storeys fronting the High Street / Fairfield Avenue, and 9 storeys (commercial use) or 12 storeys (residential use) on the northern part of the site which it was intended would be the highest part of any redevelopment. (It should be noted that the greater number of floors for any residential use would be the result of lower 'floor to ceiling' heights for residential properties).
- 9.30 The form of the current 'Reserved Matters' submission has evolved with some minor adjustments to the agreed volume of the redevelopment as set out on the parameters plan. These revisions have been necessary due to the change in the emphasis of the redevelopment from a commercially-led mixed use scheme to a more residential-led scheme. It is recognised that the form of the

redevelopment as a whole would project above some areas of the building envelope agreed at outline stage, but this is compensated for in other areas where the consented volume has not been fully utilised. Given that the extent of variation is not significant when compared to the parameters plan, it is considered that the scale of the development is acceptable and consistent with the outline consent, despite the objections raised on grounds of overdevelopment, height and bulk.

Impact on Residential Amenity

- 9.31 The most relevant policy that relates to 'residential amenity' is policy EN1b of the CS & P DPD which states that:

"New development should achieve a satisfactory relationship to adjoining properties avoiding significant harmful impact in terms of loss of privacy, daylight or sunlight, or overbearing effect due to bulk and proximity or outlook."

- 9.32 With any town centre there will be an interface at the edges between town centre uses and larger scale buildings generally and the more suburban scale of development that surrounds them. This is particularly the case with Staines. There are already extensive industrial buildings located within the Renshaw Industrial Estate, the neighbouring BT telephone exchange and other dominant commercial buildings that front the High Street. These commercial buildings are located relatively close to residential accommodation on the upper floors of commercial premises located in the High Street and further north within the Mormede Estate.
- 9.33 The closest residential neighbours are located on the upper floors of nos.116,120,129,131,133-135, 149, 151 High Street and nos. 3 and 5 Fairfield Avenue. The closest relationship would be between nos. 3 and 5 Fairfield Avenue and between nos. 129-131 High Street and the residential building fronting the High Street which would be approximately 15 and 18 metres respectively. I am satisfied these distances which includes the existence of intervening roads of the High Street and Fairfield Avenue together with the set-back foot-print layout of the proposed building would avoid any 'significant' harmful impact in terms of overbearing impact.
- 9.34 With regard to daylight, the Council's Supplementary Planning Document on the Design of Residential Extensions and New Residential Development 2011 (SPD) states that no extension (or new dwelling) should break a 25° line as measured from the centre of the main window to a habitable room at a point 2 metres above ground level. The SPD states that the purpose of the 25° guide is to ensure that in the area to the front or rear of a property no extension (or new dwelling) is so close that a significant view of the sky is lost. Importantly the introduction to the SPD sets out the approach to applying the document's requirements:

"Meeting the minimum requirements set out in this document will not guarantee that a scheme will automatically be acceptable. The acceptability of a scheme can only be judged by careful assessment of

how it fits in with the immediate area. Often several issues will need to be carefully weighed which will dictate design solutions well above the minimum requirements. Occasionally there may be good reason why a particular requirement can be relaxed but this will need to be carefully justified.”

- 9.35 Of the residential properties outlined above the most affected neighbouring windows would be mainly located at 1st floor level with several buildings with additional residential accommodation at second floor level. The proposed building which would be part 9 and part 10 storey in height on the southern boundary will have some impact on the outlook and light levels of the neighbouring flats located opposite the site. When applying the SPD standards as highlighted above it is clear that the proposed southernmost building would break the 25° guide when measured from all of the windows of the upper floor accommodation that directly face the site. Because of this technical breach, it has been necessary for more detailed daylighting analysis to be carried out, as suggested by the BRE Guidance Document.
- 9.36 The applicant has submitted a Daylight and Sunlight Report which has fully assessed the impact of the development upon the High Street and Fairfield Avenue residential properties. The Report states that compared with the consented parameters plan, the scheme as now proposed in the Reserved Matters submission would in fact have an improved effect of the daylighting levels for 26 (45%) of the 58 nearby residential windows. The Report demonstrates that there are a number of very minor reductions in the daylighting level for some isolated neighbouring windows on the upper floors of nos. 131, 149, 151 High Street and nos. 3 and 5 Fairfield Avenue when compared to the parameters plan. However it should be noted that where the reductions occur, the figures are extremely marginal.
- 9.37 With regards to levels of sunlight, only residential properties which face within 90° of due south are taken into account for sunlight analysis and the BRE Guidelines considers that sunlight to main living rooms as the most important. The nearest residential properties that face due south of the application site are nos. 3 and 5 Fairfield Avenue. The analysis has revealed that 8 of the windows serving no. 3 Fairfield Avenue would have minor reductions of sunlight reaching the property that would technically represent a change of less than 5.1% of annual probable sunlight hours each year, which would also comply with the BRE annual sunlight targets. As far as no.5 Fairfield Avenue is concerned, there would be no change to the sunlight amenity for 1 of the 4 rooms facing the site, whilst the other 3 rooms would still achieve sunlight levels in excess of the BRE target values. However, the Council is satisfied that there would be no significant sunlight impact upon the occupiers of nearby residential properties from the redevelopment scheme.

Amenity Space

- 9.38 The Council's SPD on Residential Extension and New Residential Development 2011 provides general guidance on minimum garden sizes (Table 2 and paragraph 3.30). In the case of flats it requires 35 square metres per unit for the first 5 units, 10 square metres for the next 5, and 5 square metres per

unit thereafter and allows useable balcony space to be counted. On this basis some 1475 square metres would be required for the 260 units. These requirements are however, generally applicable to suburban sites. In the case of higher density town centre residential development and mixed use schemes paragraphs 4.46 – 4.47 states:

“Such schemes will usually involve high density flatted development. Mixed use schemes will only be appropriate on sites in town or local centres which are already identified for employment or retail use. The opportunities for on-site open space provision will be limited, particularly where ground floor non-residential uses and access/delivery areas occupy most of the site area. Family accommodation is therefore unlikely to be appropriate. Some amenity space can be provided in the form of large balconies as well as at roof level, subject to design and safety considerations.”

- 9.39 A private communal terrace to serve the occupiers of the residential development would be provided 4 levels above ground floor on the roof between the front and rear residential buildings. This raised area would measure 525 square metres and is to contain communal garden and terrace as well as private individual terraces. A variety of planting and materials are proposed to provide a range of formal and informal spaces including provision of seating and playable timber elements and stepping stones. In addition to this, residential units on the ninth floor have access to 2 further separate spaces totalling 625 square metres of communal garden and private terraces. The residential units facing out onto the High Street, Fairfield Avenue, onto the public and private amenity spaces would each have access to enclosed private balconies. It should also be noted that a total of 156 balconies would be provided for the occupiers of the residential accommodation.
- 9.40 The combined amount of amenity space for use by the residential occupiers would total 1,150 square metres, although this calculation excludes the floor space that would be available in the balconies. Allowing for an average floor space of 2 square metres per balcony this would result in a total of amenity space being provided of approximately 1,462 square metres which is marginally below the minimum SPD standard that was calculated at 1,475 square metres. This provision is considered acceptable when the full extent of the redevelopment is appreciated and that a public courtyard of 1,128 square metres would additionally be provided at street level. As a result of the above, objections raised about the amount of amenity space and public open space provided are not considered sustainable.
- 9.41 Policy CO3 of the CS & P DPD requires the provision of public open space for residential developments where existing provision in the locality is inadequate or would become inadequate because of the development. A financial contribution towards the cost of new off-site provision can be made in lieu. In addition, in new housing developments of 30 or more family dwellings (i.e. 2-bed or greater units) the Council requires a minimum of 0.1ha of open space to provide for a children's play area. Such provision is to be increased proportionally according to the size of the scheme and in this case some 0.4 ha. would normally be required.

9.42 To the north of the site is a small play area off the Moormede residential Estate and Birch Green is only 190 metres away and provides an extensive area of open space. Access to this open space by residents of the development as well as to the Stanwell Moor SSSI is such that the on-site provision of a children's equipped play area is not considered justifiable in this particular case. In addition, it should be recognised that specific areas within the communal amenity space have been designed to provide playable timber elements and the use of stepping stones to provide more active play opportunities. Also it should be noted that the provision of a play area was not something that was negotiated at the outline stage. Taking these factors into account, it is not considered that objections raised on the lack of play space provided could justify the refusal of permission.

Parking / Transportation Issues

9.43 The principle of the provision of the access to the development site and the construction of a new link road has already been considered and approved as part of the outline consent which was issued 2011. In addition to this, a subsequent S73 application has been granted permission which allowed a revision to the location of an access point serving the development

9.44 This application in its original form proposed the 2 phase provision of the link road, which attracted objections and has since been revised and now proposes the construction of the new link road in one phase as per the legal agreement

9.45 Policy CC3 (Parking Provision) of the CS & P DPD states that the Council will require appropriate provision to be made for off-street parking in development proposals in accordance with its maximum parking standards.

9.46 On 20 September 2011 the Council's Cabinet agreed a 'Position Statement' on how Policy CC3 should now be interpreted in the light of the Government's recent parking policy changes. The effect of this is that the Council will give little weight to the word 'maximum' in relation to residential development when applying Policy CC3 and its residential parking standards will generally be applied as minimum (maximum parking standards continue to be applicable in relation to commercial development). The supporting text to the Parking Standards stipulates a number of important exceptional situations where a reduction in parking will only be allowed. One of these situations includes town centre locations where the reduction in parking will be assessed against the distance from a "public transport node", frequency of public transport, availability of pedestrian and cycle routes, and the range and quality of facilities supportive of residential development within reasonable walking distance.

9.47 The development proposes a total of 217 car parking spaces to be provided by the residential occupiers of the development. This would represent a standard of 0.83 car parking spaces per dwelling and 26 of these spaces would provide an accessible car parking space for each of the 26 wheelchair accessible dwellings. Whilst the proposed parking provision is below the Council's normal residential parking standards, it is considered that there are sufficient grounds for justifying a shortfall of this level in this particular town centre location. The site is in the town centre and is also within close walking distance of Staines

Railway Station, which has a fast and frequent service. In addition, the bus station is a short walk away with several bus services in the vicinity, including stops immediately outside the site.

- 9.48 Objections have been received concerning the amount of car parking provided within the scheme, which would also lead to increased car parking pressure upon the surrounding streets. However, it is noted that there is almost no unrestricted kerbside parking within the vicinity of the site and the legal agreement signed at the outline stage already prevents future residential occupiers from applying to park in the nearby Controlled Parking Zone (CPZ).
- 9.49 A total of 276 cycle parking spaces would be provided in designated areas within the basement and ground floor of Block A which are to be used by the residential occupiers.
- 9.50 As far as the office element is concerned, the provision of 155 car parking spaces in 4 basement levels would be identical to the ratio of spaces in relation to the floor space of the building (i.e. 1 space per 56 square metres of GIA) which was agreed at the outline stage. In addition, 72 cycle spaces are to be provided in the underground car park for use by the office workers and the provision of 40 visitor cycle spaces are to be provided at street level.
- 9.51 The County Highway Authority (CHA) is satisfied with the proposed number of car parking spaces for the office and residential uses. The CHA has also confirmed that there would be adequate on street parking controls to prevent parking in dangerous locations and obstructing the free movement of all users of the highway.
- 9.52 The County Highway Authority (CHA) reached the view that the application proposed less than the minimum requirement of one cycle space per 200 square metres of commercial accommodation provided. However, the material contained in the Transport Statement confirms that 72 cycle spaces would be provided in connection with the use of the commercial building, which would be in excess of the bicycle standards (the minimum requirement on the basis of the floor space would require 53 cycle spaces). The application also includes the provision of 40 further cycle spaces for visitors, which is in addition to the commercial cycle provision. On this basis, the amount of cycle parking spaces is therefore considered acceptable.
- 9.53 Staines Town Society has commented that the provision of two-tier cycle racks are difficult to use, although the use of these cycle racks have already been agreed in principle with the County Highway Authority. In any event, agents acting for the applicant have since advised that the design and technology of the latest two tier cycle racks are less cumbersome and easier to use than the original design.
- 9.54 It should be noted that a substantial financial contribution amounting to £451,700 to secure wider transportation improvements and in the Staines area are subject to the recently revised legal agreement relating to this site. This would provide a sustainable package of transport initiatives including the implementation and future monitoring of a Travel Plan on this site.

Flooding

- 9.55 Policy LO1 of the CS & P DPD states that the Council will seek to reduce flood risk and its adverse effects on people and property in Spelthorne by not permitting residential development or other 'more vulnerable' uses within Zone 3a where flood risks cannot be overcome. The policy also states that the Council will support the redevelopment of existing developed sites in the urban area in Zones 3a and 3b for 'less vulnerable' uses [e.g. commercial] where a minimum increase of flood storage capacity of 20% can be secured, and it reduces impedance to the flow of flood water where there would be flowing flood water. The Council's Supplementary Planning Document (SPD) on Flooding 2012 provides further guidance regarding the Council's policy on flooding. Paragraph 4.36 of the SPD states that circumstances can arise where a site straddles Flood Zone 3a and Zone 2 or immediately abuts Zone 2. In such cases a 'dry route' of escape in a 1 in 100 year event may exist or can be created without adding to flood risk to allow people to leave the building safely.
- 9.56 At the time of the outline submission, the 2008 Flood Risk Assessment (FRA) identified that an area to the west of the site was partially located in Flood Zone 3 and that the 1 in 100 year plus climate change flood level was 15.68m AOD. However, the Environment Agency's current Flood Map indicates that the site is now completely located in zone 2 (which has a medium probability of flooding), although the most recent 1 in 100 year plus climate change flood level has increased by 320mm to 16.00m AOD. The applicant has submitted an updated FRA to accompany the Reserved Matters submission as is required by Policy LO1 of the CS & P DPD.
- 9.57 This Assessment recognises that there would be a requirement to achieve a greater volume of flood water storage within the redevelopment scheme, although the FRA states that this has been constrained by having to provide level access to the buildings and that it is not possible to store the entire floodplain storage volume within the external area. Therefore, the FRA recommends that some flood water be stored within the semi basement level provided within the building to the east of the site. Such an arrangement would clearly have to be suitably managed to ensure that there would be every opportunity for cars parked in the semi basement would be re-located to the upper levels of the car park. Following a fluvial event, any flood water stored with the basement would be pumped out as there would be no opportunity to drain back naturally into the river. Technically this is a deviation from the outline consent, but this is the only option when operating under the approved footprint on a constrained town centre site and to ensure there is no increase in flood risk elsewhere within the site.
- 9.58 The deeper basement located at the west of the site would remain protected by temporary defences in accordance with the outline scheme. The FRA has also confirmed that there would be an additional 400 cubic metres of floodplain storage within the redevelopment scheme, compared to the site before it was cleared which would provide betterment over the existing situation.

- 9.59 The Environment Agency (EA) have been consulted on these 'Reserved Matters' and have raised no objection on flooding grounds providing that the flood compensation details are implemented as detailed in the FRA.
- 9.60 The Lead Local Flood Authority at Surrey County Council has considered the submission and have not made any comments. However, in terms of surface water drainage, a condition already exists on the outline approval which requires full details of a scheme of foul and surface water drainage to be submitted and approved by the Council and to be implemented as approved.
- 9.61 Despite the objections raised on flooding and drainage grounds, this 'Reserved Matters' application is considered acceptable on flooding and drainage grounds and would comply with the requirements of Policy LO1 of the CS & P DPD.

Renewable Energy

- 9.62 Policy CC1 of the CS & P DPD states that the Council will require proposed residential developments to include measures to provide at least 10% of the development's energy demand from on-site renewable energy sources, unless it can be demonstrated that the viability of the scheme would be threatened. It is relevant to note that Combined Heat and Power (CHP) is recognised by the Council as an acceptable type of renewable energy for the purposes of Policy CC1 and the 10% renewable energy requirement.
- 9.63 It is evident that energy and sustainability measures were assessed at the outline stage and where it was established that 10% of the energy requirements generated by the development as a whole is to be achieved by utilising renewable energy methods secured by discharging the renewable energy condition (no. 24) imposed on the outline consent.
- 9.64 The applicant has submitted an Energy Strategy, which considers various renewable energy options for the site. This strategy concludes that that the overall predicted reduction in CO₂ emissions would be approximately 22% which would well exceed the 10% target as required by planning condition 24 of the outline approval.

Archaeology

- 9.65 The site partly lies within a designated Area of High Archaeological Potential and previous archaeological reports have been produced in connection with other planning applications which have been submitted on this site. A previous evaluation has revealed that a large linear feature of Roman date (thought to be a flood protection ditch) as well as the potential for other prehistoric, medieval and post-medieval remains that could be located elsewhere within the site.
- 9.66 As a result an archaeological condition (number 12) was imposed on the outline consent which requires a specification to be secured for the excavation work as well as a watching brief. A detailed Archaeological Assessment has recently been submitted to the Council to formally discharge condition 12. This has been considered by the County Archaeologist who has since confirmed that

there is no requirement for any further work to be carried out and that the condition can now be fully discharged.

Contaminated Land and Dust

- 9.67 At the time that the outline application was approved, a detailed condition (number 10) requiring further site investigation and risk assessment to be done to find out the nature and extent of any contamination on the site. It should be noted that details have recently been submitted to the Council to discharge this condition which are currently being considered by Environmental Health. In addition, a further condition (number 16) requires the submission and approval by the Council of a Construction Method Statement.
- 9.68 Environmental Health initially raised some outstanding concerns about the potential for asbestos contamination following the large fire that occurred at the neighbouring Renshaw Industrial Estate in 2015 and the potential for localised hydrocarbon contamination following past fuel leaks on and adjacent to the site. In addition, it is recognised that buildings have been demolished on site, it is understood that there are below ground structures, foundations and former fuel tanks. This will require careful consideration when considering the discharge of condition 10, especially given the extent of the proposed deep excavations.
- 9.69 In implementing any development on this site it is anticipated that there would be a considerable volume of material excavated from the site that will need to be disposed of off-site. This is likely to result in a large number of total HGV movements associated with the development that would require careful consideration in producing an acceptable and robust Construction Method Statement / Construction Environmental Management. As a consequence, detailed discussions concerning conditions 10 and 16 are ongoing with the Council's Environmental Health department.

Air Quality / Kitchen Extraction Equipment

- 9.70 The current 'Reserved Matters' submission now includes an Air Quality Addendum to the Air Quality Assessment approved at the outline stage. Notwithstanding the objections raised, the Addendum concludes that ambient concentrations of nitrogen dioxide at new residential receptors would be compliant with the national air quality objectives and that traffic generated is expected to be less than that assumed in the outline application air quality assessment. This is principally the result of the emphasis in the scheme changing from a commercially-led development associated with a higher level of traffic and activity compared with the revised scheme with a greater emphasis on the provision of residential accommodation. In addition to this, the applicant has committed to air quality mitigation measures within the existing legal agreement' which would secure a financial contribution of £18,000.
- 9.71 Further detailed comments are provided by Environmental Health requiring a proportion of the commercial and residential car parking spaces to be fitted with fast and trickle charging points and that an ultra-low communal NO_x boiler be installed (to achieve a NO_x rating of less than 40 mg NO_x/kWh) as an additional mitigation measure. In addition, the material accompanying refers to

a mechanical ventilation with heat recovery (MVHR) system being incorporated within the development although it is unclear where the air intake / extract outlets would be located, although it is possible to secure these details separately as a requirement to satisfy part of condition 11 imposed on the outline consent.

- 9.72 The ground floor commercial units are proposed to be in 'flexible' use that could be any combination of uses covering A1, A2, A3, A4 and A5 uses, as approved in the outline planning permission which is controlled by condition number 25 on the approval. Having regard to the potential for restaurant and takeaway uses, an associated kitchen extraction system would need to be installed. The current submission includes a Ventilation Strategy Report which states that in addition to the general ventilation a dedicated kitchen extract riser and space provisions at roof level for an extract fan would be provided to enable a full mechanical kitchen extract system to be introduced.
- 9.73 Environmental Health has advised that where the proposed units are to be tenanted in A3/A5 use, they would need to utilise a riser from the unit to roof level for the kitchen extract ductwork, which will form an integral part of the design of the buildings. The 'fit-out' contractor would then either install extract plant at roof level or install within the kitchen area itself to meet the Environmental Health requirements. The submitted plans show indicative areas for the termination of these risers at roof level, and sufficient indicative areas for any proposed roof top plant. It is important to note that condition 11 imposed on the outline consent also requires further details of any new plant to be installed to be submitted and approved by the Council. This would ensure that the Council would have the ability to influence the odour control measures that introduced as well as retaining the ability to pursue further action in the event that the Environmental Health requirements are not met.
- 9.74 On this basis, officers from Environmental Health are now satisfied that the Ventilation Strategy Report would meet their requirements and no additional conditions or controls (in addition to the conditions already imposed on the outline consent) are necessary for this 'Reserved Matters' submission.

Noise

- 9.75 The 'Reserved Matters' application refers to recommendations that are designed to mitigate and minimise potential adverse effects on the living conditions for the future residential occupiers. These are principally concerned with ensuring that special double glazed units are introduced into the properties overlooking the High Street and normal double glazing units in the quieter areas of the scheme. Such provision is generally considered acceptable, although the exact detail of these noise mitigation measures need to be formally submitted and approved by the Council as required by condition 20 imposed on the outline consent concerning noise. Environmental Health has also confirmed that they are satisfied that the noise and vibration requirements are covered by the outline planning consent.

Refuse Storage and Collection

- 9.76 Four main refuse storage areas (annotated as Core A, B, C and D) would be provided for use by the residential occupiers and would accommodate a number of communal waste bins. Two of the refuse storage areas are proposed at ground floor level and two others would be provided within the basement. The proposed plans show that the storage areas are capable of accommodating a total of 59 'Euro Bin' type refuse communal bins (1100 litre sized), 59 'Euro Bin' type recycling communal bins (1100 litre sized) and 27 food waste bins (140 litre) which collectively would meet the capacity requirements of the household within the redevelopment. This would also appear to be of sufficient capacity to accord with Spelthorne Council's general waste, recycling, and kitchen waste requirements.
- 9.77 In terms of waste collection, this will take place from 2 locations within the development, one off the new link road to the north of the site and the other from Fairfield Avenue. The applicant has provided a detailed Waste Management Strategy which outlines how the waste would be manoeuvred and prepared ready for collection having regard to the existing refuse and recycling collections that are provided by the Council on alternate weeks.
- 9.78 As far as commercial waste is concerned 5 separate refuse storage areas are proposed, although 3 areas would be communal and 2 others will be independent and would service the retail units provided on the High Street and Fairfield Avenue frontages. As the exact end user of the ground floor units have not been finalised, waste provision has been calculated on a worst case scenario and as if all these units are in Class A3 restaurant use. On this basis, a total of 7 'Euro Bin' type refuse communal bins (1100 litre sized), 7 'Euro Bin' type recycling communal bins (1100 litre sized) are to be provided. In fact this provision would exceed the predicted capacity required for commercial waste which would be six refuse and six recycling bins once the commercial uses are operational.
- 9.79 The collection of the commercial waste would take place from the new link road and Fairfield Avenue by a commercial waste contractor that is appointed to collect all the commercial refuse and recycling material.
- 9.80 The Council's Group Head of Environmental Services has been consulted on this submission and has raised no objection to the principle of the Waste Management Strategy and the amount of refuse and storage provision for the residential element of the scheme. However, an outstanding query remains around the issue of managing the storage containers on bin collection day which is currently being considered by the agents acting for the applicants.

Other Matters

- 9.81 Other representations refer to Staines Town Centre being taken over by chain restaurants and charity shops and that the proposed retail units may remain empty. In addition, other comments refer to the redevelopment being constructed to maximise profit for the applicant. However, these comments are not valid planning objections to resist the application.

Conclusion

- 9.82 It is considered that the 'Reserved Matters' application is regarded as acceptable and would comply with the intentions of the Council's adopted land use, environmental and housing policies contained in the CS & P DPD.

10. RECOMMENDATION

- 10.1 To GRANT the 'Reserved Matters' and to agree the discharge of condition no. 12 on Archaeology, subject to the following conditions being imposed:-

1. The development hereby permitted shall be carried out in accordance with the following approved plans:

A2577 - 100R2, 101R2, 102R2, 103R2, 104R2, 105R3, 106R3, 150R3, 200R13, 201R8, 202R7, 203R7, 204R8, 205R8, 206R8, 207R7, 208R7, 209R7, 210R7, 211R7, 212R5, 213R1, 220R1, 221R1, 222R1, 223R1, 224R1, 225R1, 226R1, 227R2, 228R2, 229R1, 230R2, 231R2, 232R1, 233R1, 300R3, 301R3, 400R5, 401R5, 402R5, 403R5, 450R2 and 451R2.

Reason

For the avoidance of doubt and in the interest of proper planning.

2. No development shall take place until full details of both soft and hard landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. The trees and shrubs shall be planted on the site within a period of 12 months from the date on which development hereby permitted is first commenced, or such longer period as may be approved by the Local Planning Authority, and that the planting so provided shall be maintained as approved for a period of 5 years, such maintenance to include the replacement in the current or next planting season whichever is the sooner, of any trees or shrubs that may die, are removed or become seriously damaged or diseased, with others of similar size and species, unless the Local Planning Authority gives written permission to any variation.

Reason

In accordance with policies SP6 and EN1 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009

3. Full details of a scheme of biodiversity and landscape enhancement including the installation of green roofs, green wall, bat and bird boxes as well as their maintenance provision shall be submitted to and approved by the Local Planning Authority prior to the occupation of the first building. The development will be implemented in accordance with these approved details and retained thereafter.

Reason

To provide and enhance the biodiversity opportunities within the redevelopment site.

4. Full details of the NOx boiler to be installed indicating its exact location should be submitted to and approved and approved by the Local Planning Authority prior to the occupation of the first building. The development will be implemented in accordance with these approved details and retained thereafter.

Reason

In accordance with policies SP6 and EN3 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009

10.2 A number of informatives are also recommended, which are:-

1. The applicant is reminded that there are a number of conditions imposed on the outline planning permission approved under application number 09/00566/OUT and as amended under application numbers 15/00738/RVC, 15/00739/RVC, 15/00753/RVC, 15/00754/RVC, 15/00755/RVC and 15/00756/RVC, which are required to be discharged before any works commence on site.
2. The applicant is advised to have regard to the comments expressed by the Crime Prevention Officer which are concerned with the buildings in the redevelopment scheme achieving the 'Secured by Design' standards
3. The applicant is advised to have regard to the comments expressed by Network Rail concerning their land. In implementing any work on site, Network Rail require the applicant to ensure that access to their land remains available so that it is possible to carry out future maintenance and works involving drainage, plant and materials, scaffolding, piling, fencing, lighting, noise and vibration and vehicle incursion.